

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

| | | |
|--------------------------------|---|----------------------------|
| JAMES WASHINGTON, JR., #366894 | § | |
| VS. | § | CIVIL ACTION NO. 6:11cv500 |
| NFN PLANO, ET AL. | § | |

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Judith K. Guthrie. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, concludes that this civil rights action should be dismissed with prejudice pursuant to the “three strikes” provision of 28 U.S.C. § 1915(g) and, alternatively, for failure to prosecute. No objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

ORDERED that the above-styled civil case be and hereby is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915(g) and, alternatively, for failure to prosecute. It is further

ORDERED that any and all other motions that may be pending in this civil action are hereby **DENIED**. Finally, it is

ORDERED that the Clerk shall provide a copy of this opinion to the Administrator of the Three-Strikes List for the Eastern District of Texas.

So ORDERED and SIGNED this 24th day of October, 2011.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**